



***You Drink & Drive. You Lose.* National Crackdown**

Small Scale Sobriety Checkpoints

Sobriety checkpoints are an effective law enforcement tool involving the stopping of vehicles or a specific sequence of vehicles, at a predetermined fixed location to detect drivers impaired by alcohol and/or other drugs. These operations not only serve as a specific deterrent by arresting impaired drivers who pass through the checkpoints, but more importantly, as a general deterrent to persons who have knowledge of the operation. Sobriety checkpoints increase the perception of the risk of arrest, if they are adequately publicized and highly visible to the public.

Staffing requirements for checkpoints are dependent on many factors, but most importantly the location and traffic volume of the selected site. The traditional sobriety checkpoint is resource intensive for both uniform and support personnel, in order to set up and conduct the operation safely. Resource intensive operations discourage a number of law enforcement agencies from conducting sobriety checkpoints, particularly smaller agencies or others that can ill-afford to dedicate limited staff to such an operation. The end result is that some small agencies are reluctant to use this effective tool. This results in less frequent use of checkpoints, and correspondingly, less exposure and awareness by the public and a reduced

perception of risk of arrest for DUI. This may be overcome by partnering with other agencies in the immediate area.

The Goal Is Prevention

The key to deterring impaired driving is highly visible enforcement. Prevention and not arrest is the goal. The research is clear on the affect highly visible enforcement has on deterring impairing driving. When drivers perceive the risk of being caught is high their behavior changes immediately. This is the basis of the *You Drink & Drive. You Lose.* campaign. The message is simple, direct, relevant and it works -- having already influenced thousands of citizens not to drink and drive nationwide. In most cases, reduced staff checkpoints can be as effective as large scale activities in preventing impaired driving if the effort is correctly publicized to increase the perception of being caught.

Accordingly, it's important to have both an operational and media relations plan to guide your efforts. The following information is meant to provide you a guide on operational planning for small scale checkpoints. For information on publicizing and conducting highly visible enforcement activities, please refer to the Checkpoint and Saturation Patrol Planning Guidebook, available at www.nhtsa.dot.gov and www.StopImpairedDriving.org

Purpose Of This Publication

The purpose of this publication is to inform law enforcement agencies of promising practices by a number of agencies in the application of small scale sobriety checkpoints. These agencies have conducted sobriety checkpoints that did not involve large numbers of personnel, leading to a more efficient use of limited resources and a deterrence capability, without conducting a large scale sobriety checkpoint operation.

Research Concerning Small Scale Checkpoints

In 1995, NHTSA conducted a study in six California communities, to evaluate the effectiveness of their checkpoint program's staffing levels (three to five officers vs eight to twelve) and mobility (stationary vs three sequential locations).

The principal findings of the report included that the low staffing level approach (when appropriately used) is effective in generating public awareness and it is more cost-effective than a high staffing level configuration.

Successful Small Scale Checkpoint Experiences

Some states recently have used techniques that permit them to conduct checkpoints with fewer resources. Moreover, states have found that their small scale checkpoints yielded a number of advantages. Some examples of small scale checkpoint programs are described below:

Pennsylvania

Small scale, mobile checkpoints expanded the State's DUI law enforcement effort over a 15-month intensive enforcement period. Checkpoint activities were run

with limited resources, as few as 5 officers. A significant benefit experienced by Pennsylvania's small scale checkpoints was that they created a heightened awareness of their DUI enforcement program. By allowing the enforcement team to move the location of the operation, within 5-hour periods, the motoring public was encouraged to exercise alternatives to drinking and driving. Contact person is Mr. Lou Rader, Governor's Office of Highway Safety, Commonwealth Keystone Building, 400 North Street, 9th Floor, Harrisburg, 17120-0064, (717) 787-6875.

Florida

The Brevard County Sheriff's Office initiated Checkpoint Brevard, a program to show that small-scale sobriety checkpoints (using 10 to 12 officers and volunteers as opposed to 35-40) can be an efficient way to apprehend impaired drivers. The operational plan included involving officers from other jurisdictions (Mutual Aid Agreement), media events (press conferences & live feeds), and rotating checkpoints to high crash locations. Officers participating in Checkpoint Brevard made 163 impaired driving arrests over a two-year period. In addition, 58 persons were arrested on drug charges, 20 arrested on felony charges and 115 arrested for other misdemeanors offenses. Checkpoint Brevard produced a significant decrease in alcohol-related traffic fatalities (38.2%), and a decrease in alcohol-related crashes with injury (9.3%). Officer and public safety did not appear to be affected negatively by using less manpower at the checkpoints. At 37 checkpoints, not one crash took place. Small-scale checkpoints are now being conducted on a monthly basis. Contact person is Mr. Roger Doherty, DUI Coordinator, Florida Department of Transportation, 605 Suwanne Street, Tallahassee, 32399-0450, (850) 922-5820.

Benefits Of Small Scale Checkpoints

The experiences at these sites have demonstrated that the use of small scale checkpoints can result in:

- More Efficient Use of Human Resources
- Increased Visibility and General Deterrence Through Greater Mobility
- Lower Operational Costs
- More Participation By Smaller Agencies

Small Scale Checkpoint Tips

- Small scale sobriety checkpoints can operate under the same guidelines as large scale programs, while using only five or more officers.
- Duties can be shared by all personnel assigned to staff the checkpoint.
- Sobriety checkpoints must be staffed by uniformed officers.
- Volunteers can be used to assist with additional duties or needs that may arise.
- The safety and convenience of motorists and law enforcement personnel are priorities and must not be compromised. Well designed operational procedures help ensure that small scale sobriety checkpoints are used legally, effectively and safely.
- Checkpoints should be well publicized to establish a “perception of risk” in the community.

Small Scale Checkpoint Planning Considerations:

- Prosecutorial and Judicial Support
- Review of Existing Laws and Departmental Policy
- Operational Briefings and Jurisdiction Review
- Contingency Plans, Mutual Aid Agreements
- Site Locations (Demographics and Volume)
- Sufficient Warning Devices
- Visible Police Authority
- Detection, Investigation Techniques and Training
- Chemical Testing Capability
- Public Information, Education and Outreach Strategies
- Data Collection and Evaluation

Are Sobriety Checkpoints Legal?

The U.S. Supreme Court in 1990 (Michigan v. Sitz) upheld the constitutionality of sobriety checkpoints. The Court held that the interest in reducing alcohol-impaired driving was sufficient to justify the brief intrusion of a sobriety checkpoint. If conducted properly, sobriety checkpoints do not constitute illegal search and seizure in most states.